



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

AUG 2 2003

OFFICE OF  
ENFORCEMENT AND  
COMPLIANCE ASSURANCE

**Facsimile and First Class Mail**

Mr. G. Vinson Hellwig  
Chief, Air Quality Division  
Michigan Department of Environmental Quality  
Constitution Hall  
252 West Allegan Street  
Post Office Box 30260  
Lansing, Michigan 48909-7760

Re: Enforcement Discretion - Detroit, Michigan

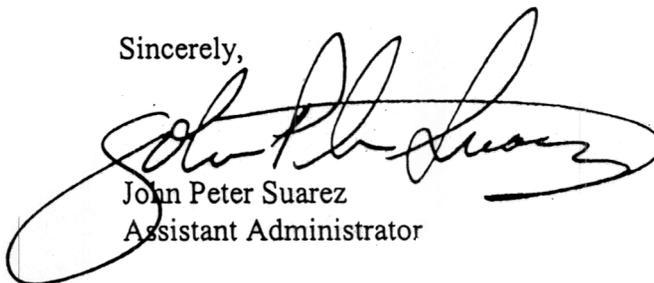
Dear Mr. Hellwig:

At your request on August 15, 2003, I granted federal enforcement discretion allowing regulated parties to supply gasoline that does not comply with Michigan's State Implementation Plan (SIP), *see* 62 Fed. Reg. 24,341-24,343 (May 5, 1997), in the seven county Detroit metropolitan area until August 22, 2003. On August 20, 2003, I received your letter requesting that I extend the current grant of enforcement discretion. You state that there continues to be a shortfall of SIP-compliant gasoline supplies for the seven county Detroit metropolitan area (Detroit area) because of the shutdown of Marathon Ashland Petroleum's Detroit Refinery caused by the recent electrical power outage in the Northeastern United States and Detroit, Michigan.

Accordingly, EPA will extend our exercise of enforcement discretion for regulated parties supplying the Detroit area through Wednesday, September 3, 2003. EPA will allow these regulated parties to sell, offer for sale, dispense, supply, offer for supply, transport or introduce into commerce gasoline with a RVP that meets the requirements of 40 C.F.R. § 80.27 for use in Michigan during the high ozone season. However, this grant of enforcement discretion is conditioned upon regulated parties taking all reasonable steps to produce and supply gasoline that meets the Michigan SIP requirement of 7.8 psi RVP or the cleanest gasoline possible to the Detroit area. This enforcement discretion does not relieve any person from any other requirements set forth in Michigan's SIP. EPA will continue to monitor the situation and make a determination in the near future whether any further grant of enforcement discretion is necessary.

If you have questions, please call Mr. Bruce C. Buckheit, Director of the Air Enforcement Division, at (202) 564-2260.

Sincerely,

A handwritten signature in black ink, appearing to read "John Peter Suarez", written over a horizontal line.

John Peter Suarez  
Assistant Administrator

cc: American Petroleum Institute  
202-682-8031 (FAX)

National Petroleum Refiners Association  
202-457-0486 (FAX)

Petroleum Marketers Association of America  
703-351-9160 (FAX)

John Mooney, U.S. EPA, Region 5  
312-886-0617 (FAX)